

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

WILLIAM LORD PUNCHARD,
ROYAL DEMOCRATIC STATES
OF CONTINENTAL (SUDAN)
AFRICA GOVERNMENT,

Plaintiff,

v.

Civ. No. 05-129 JH/KBM

PRESIDENT GEORGE W. BUSH, et al.,

Defendants.


MEMORANDUM OPINION AND ORDER

This matter comes before the Court on the *Motion to Dismiss* [Doc. No. 64] brought by the following defendants: the State of New Mexico, Governor Bill Richardson, Debbie Clark, Children, Youth & Families Department, the Sixth Judicial District Court, and District Judge Gary Jeffries (hereafter, “the state defendants”). The state defendants move to dismiss all of Plaintiff’s claims against them. After a review of Plaintiff’s complaint and amended complaint, as well as the papers submitted by the parties and the relevant legal authorities, the Court finds that the motion should be granted.

The Court’s decision rests on several grounds. First, the complaint and amended complaint are unintelligible and do not contain a short and plain statement setting forth the grounds upon which jurisdiction rests or demonstrating that the plaintiff is entitled to relief, as required by Rule 8(a) of the Federal Rules of Civil Procedure. Because the complaint is unintelligible, it is virtually impossible to discern the nature of Plaintiff’s claims in this case. Second, although Plaintiff names the state defendants in the captions of his complaint and amended complaint and refers to some of them at

times in the body of the complaint, those allegations are so muddled and confusing that under Rule 12(b)(6), Plaintiff has failed to state a claim against the state defendants for which relief may be granted. Third, even if Plaintiff had alleged wrongdoing by the state defendants, he has not alleged any grounds for waiver of their Eleventh Amendment immunity. Fourth, Plaintiff has not alleged any grounds for waiver of defendant Judge Gary Jeffries' absolute judicial immunity from suit.

IT IS THEREFORE ORDERED THAT the *Motion to Dismiss* [Doc. No. 64] brought by the State of New Mexico, Governor Bill Richardson, Debbie Clark, Children, Youth & Families Department, the Sixth Judicial District Court, and District Judge Gary Jeffries is **GRANTED** and Plaintiff's claims against the state defendants are **DISMISSED**. Plaintiff's motion for summary judgment [Doc. No. 63] is **DENIED**.


UNITED STATES DISTRICT JUDGE